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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

Guardianship of ROBERT V., a Minor.

HUBERTINA FRANKLIN,

Petitioner and Respondent,

v.

ROBERT DIAZ,

Objector and Appellant.

B246924

(Los Angeles County
Super. Ct. No. KP014660)

APPEAL from an order of the Superior Court of Los Angeles County, Thomas C. Falls, Judge. Dismissed.

Robert Diaz, in pro. per. for Objector and Appellant.

No appearance by Petitioner and Respondent.

The objector, Robert Diaz, appeals from an October 22, 2012 order appointing petitioner, Hubertina Franklin, as guardian for the child, Robert V. The objector is the child's father and petitioner is the youngster's maternal grandmother. Petitioner filed a petition for appointment of guardianship after the child's mother passed away. The objector also appeals from the denial without prejudice of Rosa Elena Ovilas's petition for appointment of guardianship. Ms. Olivas is the objector's ex-wife but resides with him. She was nominated by the objector as the child's guardian. In addition, the objector challenges the denial of visitation until he has submitted an Evidence Code section 730 evaluation. We dismiss the appeal.

No settled or agreed upon statement has been filed. The objector argues he was not given a fair trial because the matter was continued numerous times. The objector alleges an attorney was paid to appear on those days for which the matter was continued or placed off calendar. The objector states on October 9, 2012 he filed a substitution of attorney to represent himself pro se. On October 22, 2012, the trial court denied the objector's motion for a continuance. The trial court granted petitioner's guardianship petition and denied Ms. Ovilas's competing petition. The trial court ordered no visitation for the objector until he submitted an Evidence Code section 730 evaluation at his own expense. In ruling on the petitions, the trial court read and considered the reports from the court investigator, the child's counsel, and the Department of Children and Family Services. The trial court found the child was bonded with petitioner but not with Ms. Olivas. The trial court found granting custody to the objector would be detrimental to the child. In addition, the trial court found appointing petitioner as the child's guardian was appropriate, necessary and served the best interest of the child.

The objector has failed to provide any argument and authority in support of his appeal. On appeal, the judgment of the trial court is presumed to be correct, and an appellant has the burden of demonstrating reversible error by an adequate record. (*Ballard v. Uribe* (1986) 41 Cal.3d 564, 574; accord, *Denham v. Superior Court* (1970) 2 Cal.3d 557, 564; *Fladeboe v. American Isuzu Motors, Inc.* (2007) 150 Cal.App.4th 42, 58.) The objector must present argument and authority as to each claim of reversible

error or other defect; otherwise, he may be deemed to have abandoned his appeal. (*In re Sade C.* (1996) 13 Cal.4th 952, 994; *Flores v. Department of Corrections & Rehabilitation* (2014) 224 Cal.App.4th 199, 204; *Dietz v. Meisenheimer & Herron* (2009) 177 Cal.App.4th 771, 799.) In *Yield Dynamics, Inc. v. TEA Systems Corp.* (2007) 154 Cal.App.4th 547, 557, the Court of Appeal has explained: “This means that an appellant must do more than assert error and leave it to the appellate court to search the record and the law books to test his claim.” (Accord, *Flores v. Department of Corrections & Rehabilitation, supra*, 224 Cal.App.4th at p. 204; see also *Del Real v. City of Riverside* (2002) 95 Cal.App.4th 761, 768 [“The appellate court is not required to search the record on its own seeking error”].) Any issue not adequately raised or supported is deemed forfeited. (*Quinn v. U.S. Bank NA* (2011) 196 Cal.App.4th 168, 190; *Benach v. County of Los Angeles* (2007) 149 Cal.App.4th 836, 852.) We apply the same rules to a party appearing in propria persona as to any other litigant represented by a lawyer. (*Flores v. Department of Corrections & Rehabilitation, supra*, 224 Cal.App.4th at p. 204; *First American Title Co. v. Mirzaian* (2003) 108 Cal.App.4th 956, 958 fn. 1.)

The appeal is dismissed. Petitioner, Hubertina Franklin, shall recover her costs, if any, incurred on appeal from the objector, Robert Diaz.

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TURNER, P. J.

We concur:

MOSK, J.

MINK, J.*

*Retired judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.